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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,073	07/16/2001	Suguru Tsuchiya	P20746	5981
7055	7590	08/31/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			NGUYEN, MADELEINE ANH VINH	
			ART UNIT	PAPER NUMBER
			2625	

DATE MAILED: 08/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/905,073

Applicant(s)

TSUCHIYA, SUGURU

Examiner

Madeleine AV Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Oath/Declaration***

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: It does not have inventor's signature and date.

### ***Response to Arguments***

Applicant's arguments with respect to claims 11-17 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Malik (US Patent No. 5,991,290).

Concerning claim 11, Malik discloses a facsimile apparatus transmitting image data (10) to a relay Internet facsimile apparatus (30) via PSTN (20), the relay Internet facsimile apparatus (30) transmitting the image data to a plurality of receiving Internet facsimile apparatuses (50-53)

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via the Internet, each of the plurality of receiving Internet facsimile apparatuses having a sub-address and an IT address, the facsimile apparatus (10) comprises an input (283 or 284, Fig.2) configured to input the image data; a panel (275, 281, 282, 215, Fig.2 and Fig.3) configured to input predetermined information identifying the relay Internet facsimile apparatus and sub-addresses of the plurality of receiving Internet facsimile apparatuses, the relay Internet facsimile apparatus having a memory (LUT) that stores IP addresses of the plurality of receiving Internet facsimile apparatuses corresponding to the sub-addresses of the plurality of receiving Internet facsimile apparatuses; and a controller that, when the predetermined information and the sub-addresses of the plurality of receiving Internet facsimile apparatuses are input by the panel, transmits, to the relay Internet facsimile (30) via the PSTN (20), the input image data and the input sub-addresses of the plurality of receiving Internet facsimile apparatuses, based on the input predetermined information identifying the relay Internet facsimile apparatus (Figs.5), the relay Internet facsimile apparatus converting the transmitted image data into data for Internet transmission and relaying the converted data to the plurality of the receiving Internet facsimile apparatuses via the Internet, based on the IP addresses of the plurality of receiving Internet facsimile apparatuses corresponding to the sub-addresses of the plurality of receiving Internet facsimile apparatuses stored in the memory of the relay Internet facsimile apparatus (Fig.6; col. 7, line 26 – col. 8, line 24).

Malik does not specifically teach the input of sub-addresses of the plurality of receiving Internet facsimile apparatuses. However, Malik teaches that the source terminal or the facsimile apparatus can transmit to a plurality of receiving Internet facsimiles (50-53) and also the relay Internet facsimile (30) can relay the image data to a plurality of receiving Internet facsimiles (50-

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53). It would have been obvious to one skilled in the art at the time the invention was made to consider the source terminal 10 in Malik can transmit image data to a plurality of receiving Internet facsimile apparatuses since the network 40 connects the relay Internet facsimile 30 with a plurality of receiving Internet facsimile 50-53 (Fig.1).

Concerning claims 12, 13 and 15, Malik further teaches that the controller transmits the input image data and the plurality of the sub-addresses of the receiving Internet facsimile apparatuses, based on each of the plurality of the predetermined information identifying the plurality of the relay Internet facsimile apparatuses (Fig.6; col. 7, line 66 – col. 8, line 24), (claim 12); the panel includes a plurality of on-touch buttons (Fig.3), (claim 13); the predetermined information comprises a telephone number of the relay Internet facsimile apparatus (Figs.5), (claim 15).

Concerning claim 16, Malik discloses a relay Internet facsimile apparatus (30) comprising a memory (LUT) configured to stored a plurality of IP addresses of receiving Internet facsimile apparatuses corresponding to a plurality of sub-addresses of the receiving Internet facsimile apparatuses; a communicator configured to receive, from a transmitting facsimile apparatus (10) via PSTN (20) image data and the plurality of the sub-addresses of the receiving Internet facsimile apparatuses in a single facsimile transmission; and a controller that, when the sub-addresses of the plurality of receiving Internet facsimile apparatuses are received, converts the received image data into data for Internet transmission, and relays the converted data to the plurality of the receiving Internet transmission, and relays the converted data to the plurality of the receiving Internet facsimile via the Internet, based on the plurality of the IO addresses of the receiving Internet facsimile apparatuses corresponding to the sub-addresses of the plurality of

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receiving Internet facsimile apparatuses stored in the memory (Fig.6; col. 7, line 26 – col. 8, line 24).

Malik does not specifically teach the input of sub-addresses of the plurality of receiving Internet facsimile apparatuses. However, Malik teaches that the source terminal or the facsimile apparatus can transmit to a plurality of receiving Internet facsimiles (50-53) and also the relay Internet facsimile (30) can relay the image data to a plurality of receiving Internet facsimiles (50-53). It would have been obvious to one skilled in the art at the time the invention was made to consider the source terminal 10 in Malik can transmit image data to a plurality of receiving Internet facsimile apparatuses since the network 40 connects the relay Internet facsimile 30 with a plurality of receiving Internet facsimile 50-53 (Fig.1).

Claim 17 is method claim of apparatus claim 11. Claim 17 is rejected for the same rationales set forth for claim 11 above.

3. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Malik as applied to claim 11 above, and further in view of Tashima (US Patent No. 6,567,178).

Concerning claim 14, Malik teaches that the sub address is transmitted using TSI signal and not NSS signal. Tashima teaches that the fax ID is transmitted as data TSI or NSS (col. 5, lines 61-63; col. 12, lines 62-64; col. 13, lines 45-52). It would have been obvious to one skilled in the art at the time the invention was made to modify the sub address transmitted as TSI data in Malik to NSS as taught in Tashima since the Tashima teaches that either TSI or NSS can be used for transmitting fax ID such as sub address.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Yoshihara et al (US Patent No. 6,643,291) discloses a multimedia information communication system for exchanging information data using a common first communication protocol and second communication protocol which are different from each other.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 571 272-7466. The examiner can normally be reached on Tuesday-Thursday 12:30-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Madeleine AV Nguyen

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A handwritten signature in black ink, appearing to read "Anh W. Nguyen". The signature is fluid and cursive, with the first name "Anh" and last name "Nguyen" clearly distinguishable.

August 22, 2006

Primary Examiner  
Art Unit 2625